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**Medtronic**

## Facsimile Cover Sheet

**To:** Examiner Greene  
**Company:** U.S. Patent and Trademark Office  
**Phone:**  
**Fax:** 571 273 8300

**From:** Daniel G. Chapik  
**Company:**  **Medtronic**  
**Phone:** 763 514 3066  
**Fax:** 763 505 2530

**Date:** September 27, 2005

**Pages including this  
cover page:** 5

**Comments:** RE: P-10732  
Serial No. 10/672,228  
Applicants: BERGELSON et al.  
Filed: 09/26/2003  
**Title:** SYSTEM AND METHOD FOR REAL-TIME REMOTE MONITORING OF  
IMPLANTABLE MEDICAL DEVICES

Attached please find the following documents:

Response After Final  
 Transmittal

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MCLELLAN AT TELEPHONE (763) 514-8662 IMMEDIATELY.

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DOCKET NO.: P-10732

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AMENDMENT TRANSMITTAL

In re Application of: BERGELSON et al.  
For: SYSTEM AND METHOD FOR REAL-TIME REMOTE MONITORING OF IMPLANTABLE MEDICAL  
DEVICES  
Serial No.: 10/672,228  
Filed: 09/26/2003

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this RESPONSE AFTER FINAL and the paper(s), as described herein are being sent to telex/fax No. (571) 273-8300, MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 27, 2005.

  
Signature  
MOLLY McCLELLAN

Printed Name

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

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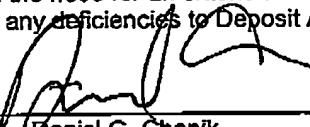
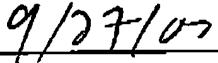
 **RESPONSE AFTER FINAL**

Applicant requests a \_\_\_\_\_-month extension of time to respond to the \_\_\_\_\_ dated \_\_\_\_\_, from \_\_\_\_\_ to \_\_\_\_\_.

Please charge Deposit Account No. 13-2546 \$ \_\_\_\_\_ for extension of time and \$ \_\_\_\_\_ for \_\_\_\_\_ for a TOTAL OF \$ \_\_\_\_\_ .00. The Commissioner is authorized to charge any deficiencies, and credit any overpayments, to Deposit Account No. 13-2546.

Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time. The Commissioner is authorized to charge any deficiencies to Deposit Account No. 13-2546.

Date

  
Daniel G. Chapik  
Reg. No. 43,424  
(763) 514-3066  
Customer No. 27581

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SEP 27 2005

Applicants: Michael Bergelson et al. Examiner: Greene, Dana D.

Serial No. 10/672,228 Group Art: 3762

Filing Date: September 26, 2003 Docket No.: P-10732.00

Title: SYSTEM AND METHOD FOR REAL-TIME REMOTE  
MONITORING OF IMPLANTABLE MEDICAL DEVICES**RESPONSE AFTER FINAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Final Office Action mailed July 27, 2005, having a three-month statutory period for response set to expire on October 27, 2005.

**REMARKS**

In the above-referenced office action, the Examiner has maintained the previously cited rejections and made this action final. Applicant respectfully and strenuously traverses. Further, Applicant incorporates by reference the remarks made in the previous response.

The Examiner asserts that Applicant's arguments were fully considered and that a "prima facie" case of anticipation was provided. The Examiner further states, without support, that areas of Reinhold were cited that "do teach transmitted [sic] a plurality of EGM signals, receiving a signal from an IMD, modulating EGM signals from the IMD and transmitting the modulated signal."

This is wholly and factually incorrect. Reinhold teaches acquiring EKG signals from an external medical device. An EKG is not the same as an EGM. Thus, an EKG teaching does not anticipate a claimed EGM. An external device,